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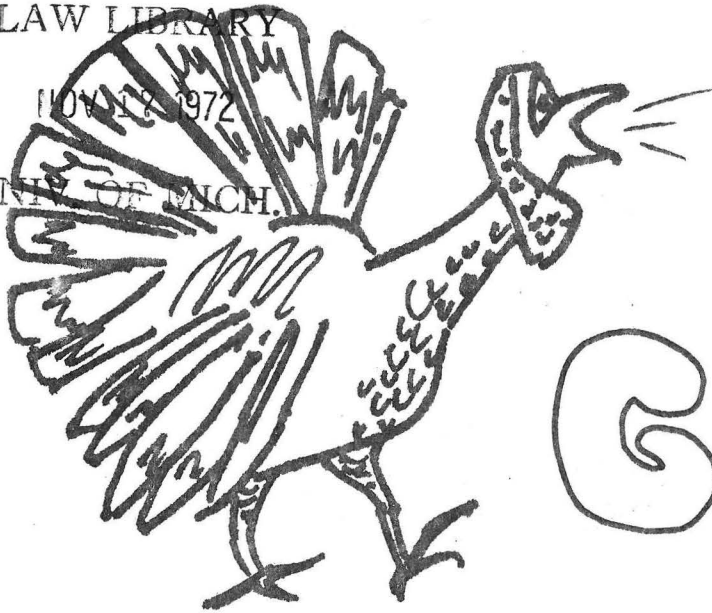
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Turkey Day-ly Double ^{R4}

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RES GESTAE

2-in-1 combined issue

Ann Arbor, Michigan

Wolverine National Law School

November 17 & 24, 1972

BAR REVIEW

by Bo Abrams, V.S.O.P., J.D.(maybe)
Ass't Six-Pack & Case Editor

Your regular Bacchus Bar Reviewer, Dick ("Bottumzup") Ginsberg has been taking the cure at the spa (actually he has been drying out) this past few weeks, so I've been called in to handle the course in the interim. I hope this review is up to the standards of close analysis you've come to expect from a Bacchus Bar Outline. Drinking is not my strong suit, but beer does soothe a burned throat. It's no contradiction to say that despite the fact I'm not a drinker, I do like bars. Now that you've seen my credentials, you can discount my views appropriately.

BIMBO'S ON THE HILL --

It's difficult to explain the reactions I have to cover charges;

half a rock, half a rock, half a rock onward. Long tables, a few booths, and an open wall dividing front from back. The band was better than passable but less than inspiring. There's room to dance for about twenty and people are dancing. It didn't seem to be a straight beer & pizza crowd but it wasn't too far removed. Plainly too expensive. Two-and-a-half for a choice of Schlitz or Olde Milwaukee, forty cents a shell. The pizzas looked just OK and business was sluggish.

On the wall is an amazing electric basketball game which whirls to some inscrutable pattern.

Instead of the band, the real "live" entertainment is the people. Patrons ranged from 50-year old parental types being taken out for a night on the town by their collegian Greek type children, to a few monks out on bail.

Service was prompt, and the waitress actually apologized for the prices.

see BAR REVIEW p. 6

LETTERS

[The following letter is a response to Dick Ginsberg's article, "View From Under the Landslide," which appeared in last week's R.G.]

Mr. Ginsberg:

Why is it that liberals find it so difficult to admit that perhaps, just perhaps, one of the reasons for McGovern's defeat was his policies? Granted, McGovern made some serious mistakes in his campaign that ultimately made voters doubt him as a leader, but isn't it possible that, faced with a choice between two unappealing candidates, some of those 46 million voters that voted for Nixon made their choice on the political philosophy McGovern represents?

Perhaps this reluctance to face defeat is explained by the attitude of self-righteousness that has so pervaded the academic and other communities in the past few years. The voice from the left cries out, "Power to the People," ringing with unspoken reasoning: "...our ideas are logical, right, and moral, and the 'people' believe these ideas, and if the 'people' only had the chance, they would put these ideas into effect." Well, 46 million people exercised their power and turned away from these ideas. After eight years of political education, the great liberal opportunity arose, and the "people" said: NO.

For a conservative, the most painful thing about the 1964 election was the self-admission that the American people just did not want his ideas. Perhaps it is time for the other end of the spectrum to come to a similar conclusion?

B.J. Hays

Dear R.G. Reader,

I sincerely hope this is not your first notice that the seminar pre-classification list was closed Nov. 1. It could well have been mine. Just how I managed to elude Dean kuklin's extensive information network was initially a great mystery to me, but as time passes the reasons or possible explanations become more clear.

I assure you that this letter is motivated by more than a misguided urge to expose my own stupid mistakes to public view. It is my guess that there are others who failed to see any of the written notices which were posted. In the hope that some public record be made of the magnitude of what I consider to be an unnecessary administrative failure, I will catalogue the facts as they now appear to me.

The two large notices posted were misleading, or at least were susceptible to misinterpretation. In all fairness to Dean Kuklin, I must admit that I did notice a poster stating that the "CLINICAL LAW" sign-up list was available. I was told too late that the words "and Seminar" were included in smaller letters below. Those of us who know that the five unit clinical law course requires a separate two unit seminar might have dismissed this as concerning a special list for that particular program.

Dean Kuklin assured me that he also posted six to eight 8X11 black and white posters which were not so misleading. Obviously, they did not compete for my attention with the more colorful efforts of the International Law Society (bless their little administrative heads).

Dean Kuklin also politely informed me that a card was posted on the HH bulletin board, that paragon of notice-giving procedures. It is my guess that a number of students other than myself have fallen into the careless habit of reading that bulletin board only once every several weeks. Too soon, alas, do we tire of reading about the misadventures of the HH elevator.

One last remark concerning the HH bulletin board. I was told yesterday that the notice placed there was removed by mistake on the same day it was posted and replaced only shortly before the deadline. If this is in fact true, the Administration should play by its own rules. If a 3X5 card posted there

Bias Confab: the ERA

"Women simply do not have the same legal rights as men," said Dr. Bernice Sandler, Executive Associate of the Association of American Colleges.

Originally the Constitution did not apply to slaves, it did not apply to men with no property, it did not apply to indentured servants and it did not apply to women.

"In several states today a married woman cannot go into business without getting the consent of the courts, which certify her to be of high moral character," Dr. Sandler told an audience at the Equal Opportunity for Women: Affirmative Action Plans for Universities Conference in New York.

"In four states a woman cannot dispose of her property without her husband's consent, even if it were hers before her marriage. But he can dispose of his property without her consent," she said.

"In some states women get longer sentences for the same crime than men. For example, in Arkansas, women get longer sentences for drunkenness than men do. The theory being it takes longer to rehabilitate a woman than a man.

"In many states, unrealistic weight lifting laws 'protect' women from getting better jobs. Until very recently in California, a woman could not work at a job where she carried more than ten pounds up and down stairs.

"Now, no one protects women from carrying two bags of groceries or carrying children," Dr. Sandler said.

If these weight lifting laws applied to pregnancy, it would be illegal to be pregnant.

Supervisory jobs that require occasional overtime can not be offered to women in those states where women are prohibited from working more than eight hours per day, according to Dr. Sandler.

In some states, waitresses can not work at night, when the pay and tips are better. On the other hand, no one is rushing into to protect charwomen and nurses from working at night at their low paying jobs, because no one else wants those jobs.

One by one these so-called protective laws are being struck down because they conflict with Title VII of the 1964 Civil Rights Act which prohibits discrimination in employment based on race, religion, color, national origin and sex.

"But some unions who have a stake in keeping women out of certain jobs are using these laws as a rationale to oppose the Equal Rights Amendment," said Dr. Sandler.

"Women are asking for an Amendment to the Constitution to give them the full legal equality that is not now there. It is really impossible in a democracy to have one set of laws that apply to one group, men, and a second set of laws that apply to another group, women, and still pretend that the laws are equal. This is precisely what we have in certain areas. This is what women are talking about: legal equality and economic equality," explained Dr. Sandler.

The economic situation is a good

measure of sex discrimination.

"Of those who work full time, white men earn the most. Then come black men, because "equal opportunity" is beginning to work a little, but not enough. Then come white women and, at the bottom of the ladder, is the black woman. She gets a double whammy, once for being black and once for being female," said Dr. Sandler. As a matter of fact, sex now affects one's income more than one's race does--Eds.

Dr. Sandler believes that the most serious problem faced by women in employment, is that of economic segregation." Most women are still restricted to low paying, low status jobs. In fields where the pay or status is rising, such as teaching or social work, men are increasingly being hired into those jobs.

"If you look at the low status jobs in our society, like emptying the bedpans in a hospital, you can be sure it's being done by a woman or a minority or both," she said.

"As a matter of fact in primitive societies you can see the same pattern. Whatever jobs men have are considered more prestigious. If women do the weaving, it's mere women's work, if men do the weaving, it's much more important and likely to be a ritual or even a sacrament," Dr. Sandler observed.



"In the Equal Rights Amendment women are asking for equal opportunity. Like apple pie and motherhood, everyone is all for equal opportunity. But equal opportunity is more than saying, "We believe in equal pay for equal work and equal work for equal pay." And then paying one woman less because she is married and does not need as much and another woman less because she is not married and, therefore, does not need as much," she said.

Equal opportunity is not saying, "We want to admit the most qualified law students," and then turn away women who are better qualified than some of the white males who are admitted.

And it is more than being polite to women and thereby thinking you have never discriminated against any woman.

"Our problem is getting a foot in the door, not getting someone to hold the door open for us. Much sex discrimination is not deliberate, much is unconscious. But that does not make it hurt any less," said Dr. Sandler.

--C. Harper

SIS was watching, with mouth agape, as Abigail Van Buren rendered the following advice to a reader in the Ann Arbor News of November 14, 1972.

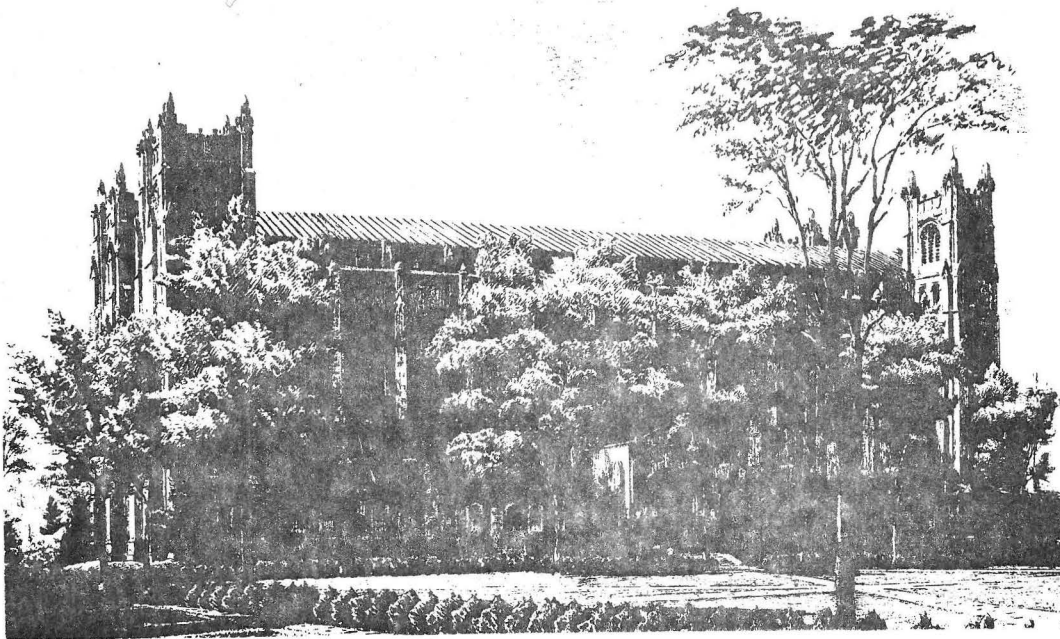
"WHETHER 'TIS NOBLER TO BATHE OR NOT...

Dear Abby: In recommending that one bathe and change undies daily, I disagree...
...my physician husband, who is quite acceptable in polite company, bathes only once a week....

/s/ Clean but
not fanatic

Dear Clean: Perhaps I have been brainwashed by Madison Avenue, but I happen to believe that a man should bathe daily, and a woman can't bathe enough!

The Woman's Law Group would like to thank the many students who volunteered to house participants in the Woman In Law Conference. As it turned out many of those spaces were not needed, but knowing they were available added to the peace of mind of us all. Thank



STOPPING IN THE LAW LIBRARY ON
A SATURDAY EVENING

For C.B.

I guess I'm not depressed enough to write,
The words don't seem to flow out of my pen.
I have been sad, but not so much tonight,
Yet I shall write it now - too late for
then.

I share this room with many, e'en tonight,
(My guess would be about a hundred ten).
Is't I or they who've given up the fight?
And if it's I, then I would fain know:
When?

They all know why they study, so it seems -
Maybe that's why my head is filled with
doubt.

I'm sure it isn't only gold that gleams;
My cliché question: "What's it all about?"

I find I don't know how to finish this,
(My inexperience begins to show).
In class, when something's corny, students
hiss,
But if a poet, one need never know.

Simple arithmetic will tell us that
Not everyone a big lawyer can be;
It's only those who work that can get fat.
Guess that explains the studying I see.

What great conclusion I must draw from this
I do not know, cannot begin to say.
Perhaps my attitude is all amiss -
Perhaps I'll sit here too, some Saturday!

-- Larry Ramer

" There is a vague popular
belief that lawyers are neces-
sarily dishonest Let no
young man choosing the law for
a calling for a moment yield
to the popular belief - resolve
to be honest at all events; and
if in your own judgment you can
not be an honest lawyer, resolve
to be honest without being a
lawyer. Choose some other oc-
cupation, rather than one in the
choosing of which you do, in ad-
vance, consent to be a knave."

ABRAHAM LINCOLN
Notes for a Law Lecture, July 1
1850

Ephemeria

"... and they had no lawyers."

-- Utopia
St. Thomas More

LETTERS from p. 2

is sufficient notice, then the lack of same is inadequate.

I expect this letter may engender some replies. They will undoubtedly portray the notice given as the most reasonable which could be expected. That does not belie the fact that many matters of much less importance to students are better advertized every week by students who volunteer their time.

As I said earlier, I suspect that a number of students other than myself failed to see the posted notices. A few were no doubt lucky enough to be warned by a friend in time to make the deadline. I urge all those who failed to see or understand the posted notices sign the statement at the Law Club desk. Some evaluation should be made of the Administration's notice-giving procedures. Remember, the next item on Hutchins Hall's agenda may be the taking of applications for diplomas.

Douglas Seegmiller
Douglas Seegmiller

Dear Res Gestae:

I for one do not accept the proposition that Richard Nixon is the reincarnation of Adolf Hitler. Evidently many Americans agree. But even if that thing on the front page of the RG had shown Hitler and some personification of France rather than Nixon and Uncle Sam, it would have been obscene, assuming there is any meaning to the word.

While one may defend the right to print obscenity, one needn't approve of it. I was disgusted. Maybe I am alone. I am frustrated because I cannot express my individual indignation by cancelling my subscription.

All I can do is write a letter and point out that the Res Gestae has now effectively done away with any journalistically moral right to decline to print anything, submitted by any law student, even if under a pseudonym, even if highly bigoted or in the coarsest and most vile taste.

O.P. Rogers

/The preceding letter was received with insufficient time to allow us a proper response. Res Gestae will attempt to address the matter raised in this letter and questions of editorial policy generally in our next issue. -- Eds.]

BAR REVIEW from p. 1

Talking over the band was hard up close, easier in the rear and really only possible between sets. A few stray girls, mostly in twos and a tableful of drunken girls ask "where is table number two?" For some reason, I can't remember, we were busy writing songs on the only paper to be found, a bunch of bank deposit slips. J.J. White thinks they're non-negotiable but are copyrightable. He should know.

The thing that impressed me most was a scene that took place down the bench from us. Just after the first set, two young girls replaced the EMU jocks next to us. They sat one on either side of the table. Instantaneously they had drinks and lit cigarettes. On cue, two guys walked up and sat down beside them, again one on either side of the table. It was beautiful, what a symmetry, a Rorschach blotch of humans. To talk to each other, they had to cross the girls' conversation. A match flared for their second cigarettes, lighting the way to someone's apartment a few hours down the night's road. Apparently I was more impressed with the significance of the scene than any of its principals.

Our beer ran out quickly, and loathe to leave broke (lousy, paltry research budgets!), we left thirsty.

Synopsis: I wouldn't go back (costs simply outweigh benefits), but I have it on good advice that Bimbo's on the Hill is a nicer place than The Scene. On the Bacchus Imbiber's Index of ten, BIMBO O-T-H gets a 3.7 only a third of the way to being any good, but definitely with the ring of Law Review about it.

Lawyer's Guild

The National Lawyers Guild is a group of lawyers committed to fundamental social change. There is a small but active Guild Chapter at Michigan and this week, R.G. brings you a brief history of the parent organization, which appeared in the Guild Practitioner. It is a fascinating capsule of the long, beleaguered, and dignified history of this little-known organization.

-- Eds.

Movement people in the 60's and 70's are accustomed to suggestions that the movement scorns or ignores its own history and the history of its predecessors. And they are accustomed also to rejecting that suggestion as politically suspect. But the grain of truth is unmistakable. The record of the Guild provides an excellent example. The National Lawyers Guild has existed as an organization on the left for 35 years. At its inception, the Guild occupied a position of national stature and influence and then, along with the movement it sought to support, declined to an almost total collapse. Yet it survived and now, also in line with the movement, it is growing again. The history of the Guild reflects not only the history of the movement, but also of course the contemporary history of the United States. It is more than a little surprising, then, that the last serious study of the Guild's development was made in response to interrogatories propounded by the US Attorney General in 1953.

Our study of that history and development is not intended to be definitive. Like all histories, it is subjective. Like most writing, it is hastily done and incomplete. It suffers too from the unavailability of much interesting and important source material. But, hopefully, it will serve to provoke discussion, analysis and even, perhaps, further study.

In the United States millions were unemployed, and more than a third of the population lived below the poverty level. Perhaps influenced by world events, a radical movement at first suspicious of the co-

optive potential of Roosevelt's "New Deal" began to rally to his support. New organizations bringing together liberals and radicals emerged. Progressive union leaders, responding to an angry rank-and-file, left the A. F. of L. to form the more militant CIO, which began with eight unions having a combined membership of over a million workers. Many of its officers were radicals and communists. Initial efforts of the CIO to organize steel and auto workers into industrial unions brought massive and sometimes bloody strikes against GM, Chrysler, Bethlehem Steel, Republic Steel, and many others, culminating in the historic sit-down strike at GM's Flint, Michigan, plant. The major programs of President Roosevelt's economic policy were backed up on the court docket, as a recalcitrant Supreme Court declared each one in turn unconstitutional. In frustration, Roosevelt proposed a plan to appoint additional judges to sit alongside judges who had passed the age of retirement but had not chosen to resign. Thus he hoped to mold the court in his image. The American Bar Association (with a membership of only 29,000 of the 175,000 American lawyers) opposed the "court-packing" plan. The ABA also opposed pending legislation to prohibit child labor, and it excluded black lawyers from membership. The 1937 convention of the ABA was an orgy of table-thumping anti-FDR hysteria.

On December 1, 1936, a group of lawyers met at the City Club in New York to discuss the formation of an integrated "liberal and progressive bar association" which would represent the better instincts of the Bar. It would be dedicated to the protection of democratic institutions and individual civil rights, the promotion of justice, and the advancement of the economic well-being of the legal profession. Among the group were Morris Ernst, in whose name the invitation had been sent out, Jerome Frank, Prof. Karl Llewellyn, U. S. Senator Albert Wald, former Cincinnati Mayor Henry Hunt, Robert Silberstein, head of the Lawyers Security League of New York, and Frank Walsh, Chairman of the National Public Service Commission. Walsh was selected to act as temporary President of the newly-

formed National Lawyers Guild. On December 16, he issued a call to American lawyers to form chapters of the Guild nationwide and to join in a founding convention, set for Washington D.C., February 21 and 22, 1937. A Temporary Executive Committee of fourteen was named, including 5 judges, a governor, a U.S. Senator, and the general counsels of both the AFL and the CIO.

Lawyers in every major city gathered to form Guild chapters. By far the biggest and most vital was in New York City.

The New York Times reports that near-bedlam broke out at the organizational meeting of the New York chapter as 400 delegates fought over a resolution to condemn the issuance of an injunction against the Flint sit-down by a judge who owned stock in General Motors. (It was finally tabled.) By the start of the National Convention, lawyers in 38 states had been attracted to the Guild.

600 attended the first convention.

The major issues of that meeting reflected both the immediate and long-range concerns of the new organization. FDR's court plan was overwhelmingly endorsed as was the child labor amendment.

Speakers including Sen. Alben Barkley and Asst. Attorney General Robert Jackson angrily criticized the ABA. The Guild committed itself to the formation of legal aid clinics which would make legal services more accessible to lower and middle income people. A pilot project was begun in Philadelphia under

- Guild auspices involving four neighborhood offices in 1938, and growing to ten offices by 1942. In addition, the 1937 convention approved resolutions which urged an end to laws restricting freedom of speech and an end to police "third-degree" interrogation methods, condemned censorship, urged federal anti-lynching laws, and favored extension of public defender services. A constitution was adopted which set forth the aims of the new organization:

The National Lawyers Guild aims to unite the lawyers of America in a professional organization which shall function as an effective social force in the service of the people to the

end that human rights shall be regarded as more sacred than property rights. This organization aims to bring together all lawyers who regard adjustments to new conditions as more important than the veneration of precedent, who recognize the importance of safeguarding and extending the rights of workers and farmers upon whom the welfare of the entire nation depends, of maintaining our civil rights and liberties and our democratic institutions, and who look upon the law as a living and flexible instrument which must be adapted to the needs of the people.

The delegates elected as first president of the Guild John P. Devaney, retiring Chief Justice of the Supreme Court of Minnesota.

Within a year, dozens of chapters of the National Lawyers Guild emerged. 1400 lawyers belonged to the New York Chapter, and many worked on its 23 standing committees. Chicago had 180 members, and Washington, D.C. home of the National Office, over 200. All together, more than 4000 lawyers flocked to the Guild at its inception. The new members came from various backgrounds. A large number were unemployed lawyers "on relief" -- working with WPA legal service projects and interested in the extension of such projects. Many were lawyers for the numerous "alphabet" agencies of the New Deal, whose careers were made quite uncertain by the imminent possibility that any or all the agencies might be declared unconstitutional. A third group were lawyers employed by the major labor unions, particularly the newly-emerging CIO unions. And, certainly, many were simply lawyers in private practice, law professors, judges and legislators whose political goals and interests lay with the success of the New Deal.

The Guild rose immediately to a position of influence. Its organization was hailed by liberal members of Congress and the Supreme Court, by labor leaders, by civil rights groups, and by Franklin Roosevelt. From the beginning, the Guild had access to FDR as well as to

Book Review

WHO RUNS CONGRESS?, Mark J. Green,
James M. Fallows, David R. Zwick
(1972) Bantam/Grossman Books, \$1.95

Reviewed by Bob Buechner L '73

[Mr. Buechner was employed this past summer as an operative in the Nader Organization. --Eds.]

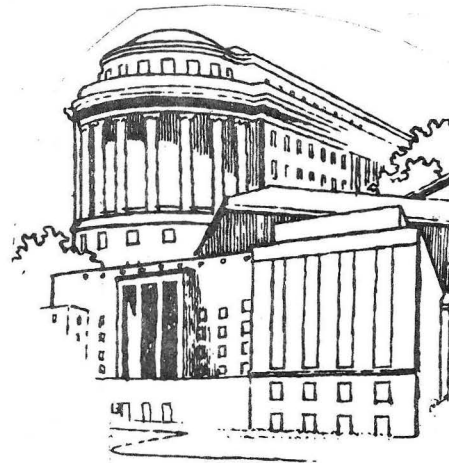
RALPH NADER'S WHO RUNS CONGRESS - OR
HOW TO RUN YOUR COUNTRY WITHOUT REALLY
TRYING OR UNDER THE DOOMED DOME OR OVER
THE HILL

As Nader's latest publication weaves us through the catacombs of Capitol life, it becomes readily apparent that this is no ordinary Nader study. It gives no evidence of having been a laboriously researched endeavor and reads as being little more than a collection of tidbits from Washington's gossip columns. So all that Nader has put together is a well written summary of what most well informed people would have guessed was true of Congress all along.

But brother, that is an awful lot to put in one short, easily digested book. Nader wanted to publish a straight-forward work on Congress that would not be intimidating to Joe Cement but which would provide him with a contextual framework so he could better appreciate the forthcoming committee studies and profiles of individual Congressmen. Also, motivated by Bantam's prediction of an instant best seller (even Nader has become money-conscious trying to recoup some of the costs of his massive Congress project), Nader recruited his three most prolific crusaders to get it on in a snappy six week effort. What resulted is a masterpiece in its own right.

Dealing with topics no more complex than suggested by chapter titles such as "Who Owns Congress", and "Law-Makers as Lawbreakers", Nader's recruits manage to present the ins and outs about Congress in as interesting yet

readable manner as imaginable. In short order, it looks briefly at the heroes of Congress like William Proxmire who runs five miles to work every day and doesn't stop running until he has run home at night. It travels with a Philly Congressman who returns to Philadelphia every night to meet with his constituents for 4-6 hours. And it catches many of the deals that are made - such as the one atomic energy giant Congressman Chet Holifield made with Nixon to support Nixon's reorganization scheme in exchange for Nixon's support of the controversial liquid metal fast-breeder nuclear reactor. Yet perhaps most important,



Who Runs Congress deals with the question of "the best money can buy" and suggests ways that John Q. Citizen can reach the guts of the Congressional machine.

Who Runs Congress makes no pretenses of being able to enlighten the enlightened. But it does promise an enjoyable evening's reading to anyone who wants to get the scoop all at once. Whatever Nader's effort lacks in pinpoint accuracy, it makes up for with its basic credibility, good faith reporting, and unabashed tell it like it is.



cont'd from p. 8

most committees of Congress. Its founding was also greeted happily by leaders of the radical movement, who saw it as an ally, or even successor, to the International Labor Defense, a lay group which had mobilized support for major political cases such as those of Sacco and Vanzetti, Angelo Herndon, and the Scottsboro boys.

In December 1937, the first issue of the National Lawyers Guild Quarterly was publicized, by an editorial board including Adolph A. Berle, Jr., Harold J. Laski, and Carey McWilliams. Along with feature articles by guest contributors, the issue carried three articles of particular interest to members. One was an article about the economic crisis in the legal profession. A second urged the cessation of hostilities between the AFL and CIO so that the National Labor Relations Board could function effectively. The third was an extended analysis by the International Law Committee of relations between the United States and Spain. It argued legally that the Neutrality Act of 1935 should not be read to exclude sale of arms to Spain so that she might defeat the fascist insurrection. At the second national convention, in February, 1938, a resolution was adopted condemning the embargo on arms to Republican Spain. Shortly thereafter, a major debate unfolded among Guild members over the propriety of the organization taking "political" stands. Many argued that it was no part of the Guild's business to do so, that it should restrict its opinions to strictly legal concerns lest it dilute its significant influence. Others responded that it was precisely the Guild's position of respect and influence which lent importance to statements on social and political affairs, and that the Guild should not shrink from its responsibility for moral leadership. The debate was not resolved.

In the face of increasing tension in Europe, the U.S. maintained its neutral position. Many on the left disagreed about the origins of the war, and the U.S. role. Some felt that the war was predominantly an anti-communist one in which Hitler was being used to defeat commun-

ism, and urged the US not to participate. Others felt that both Germany and Russia were imperialist and urged the US to support England and France. Regardless of the correct assessment, the Hitler-Stalin pact and the first resultant changes of opinion about the war by many leftists, cost the movement many friends. Liberals, who distrusted both communism and fascism, saw in the Hitler-Stalin pact a confirmation of their worst fears about both. The anti-communism and even pro-fascism which was never too far below the surface rose again during this period. As usual in America, its particular targets were aliens. The Smith Act, passed in 1940 was primarily anti-alien legislation. And Congress passed a law that Harry Bridges (leader of the ILWU, and an Australian), by name, be deported. But the feeling spread to many other quarters. Even the ACLU in 1940 expelled Elizabeth Gurley Flynn for her membership in the Communist Party. The renewed preoccupation with communism did not entirely obscure the fact that 8 million workers continued to be unemployed, though the effect of red scares on labor leaders was not insignificant. In 1938 the original House Un-American Activities Committee surfaced, concentrating its energies on radical unions, the International Labor Defense, and several candidates in statewide elections in California, Michigan and Minnesota whom it considered subversive.

The growth of suspicion against Communists and the left generally left its mark upon the Guild. At the third national convention, outgoing national president Ferdinand Pecora, Judge of the N.Y. Supreme Court, delivered an impassioned speech stating that the Guild stood four-square against all "isms" -- fascism, totalitarianism, and communism -- and warned that adherents of any of these tendencies were not welcome in the Guild. There was some discomfort aroused when he demanded that the speech be adopted as official policy, but the National Executive Board finally voted to do so. Vehement anti-communist columnist Westbrook Pegler was perhaps not the only person who saw this event as a struggle between the pro- and

anti-communists in the Guild. In his rendering, the result was a tactical withdrawal, rather than a defeat for the pro-communist members. In any event, the third elected president of the Guild, Judge Joseph Gutknecht of the Chicago Municipal Court, was a man of impeccable liberal credentials.

In 1939, due partly to the anti-communist wave and no doubt also to simple lack of organization, six chapters folded, including those in Portland, Pittsburgh, New Orleans and Buffalo. And by 1941, ten more ceased to function, notably those in St. Louis, Denver and Milwaukee. Perhaps most significantly, a major split developed in the New York Chapter during the 1940 election of chapter delegates to the National Executive Board (NEB). A group led by Prof. Paul R. Hays and calling itself "The Committee for Democracy of the Guild" opposed the slate of delegates put forward by the chapter leadership. They contended that the proposed slate contained a majority of members who were interested in "advancing the interests of other organizations" than the Guild. Instead, they put forward a slate of their own candidates. The battle was uncommonly vicious. Some saw it as an anti-communist crusade, others as a factional struggle within the left. When it was over, Hays and the insurgents were soundly defeated. At its end, Hays, Pecora, and Adolph Berle, among others, resigned from the organization. Berle, Asst. Secretary of State and a leading ideologue of corporate liberalism as well as an architect of U.S. policy in Latin America, released a public statement that he was leaving the Guild because it was not prepared to take any position not consistent with Communist Party doctrine.

These reverses, significant as they were only weakened the Guild temporarily, and did not prevent it from playing an active role during the period. The major thrusts of Guild programs were in opposing repressive legislation and the spread of fascism, fighting for social welfare, and supporting the labor movement. In 1939, major resources were thrown into the Apex Hosiery litigation in a successful effort to prevent the application of the Sherman Act to trade unions. It participated in litigation to oppose the firing of WPA workers for political beliefs, and to

reverse the conviction of Robert Wood for criminal syndicalism in Oklahoma. The Guild lobbied aggressively against the Smith Act, the Voorhis Registration Act, and the poll tax used against blacks in the south.

In 1940, the NLG Quarterly changed its format to become the Lawyers Guild Review, projecting an emphasis on internal organizational interests as well as legal analysis. The fourth convention selected Robert Kenny as president of the Guild. Kenny, a California State Senator, had been on the Superior Court bench and was later to be State Attorney General. He continued as president for most of the war years.

On June 22, 1941, events in Europe took a completely unexpected turn as the German army invaded Russia along a 2000-mile front. In the resultant shift of alliance, an accommodation was struck between Britain and Russia who entered into a mutual aid pact in July. The United States began preparations for war, and on December 8, in the wake of Pearl Harbor, entered the war against Japan. Hostilities with Germany and Italy were inevitable, and the Axis powers declared war on the US a few days later. The alliance between Britain, Russia and the US was never more than a matter of convenience. Tensions continued during the entire period of the German invasion over Churchill's refusal to open a "second front," thus leaving virtually the entire burden of fighting Hitler with Russia. As tensions lessened somewhat after the successful Russian summer campaign of 1943 and the surrender of Italy that September, the leaders of the three Allied countries began a series of meetings to discuss the terms of peace, and develop a de facto division of the European continent into spheres of influence.

In the United States, the invasion of Russia followed shortly by the attack on Pearl Harbor, created an unparalleled unity in support of the war effort. Labor Unions, with the single exception of the United Mine Workers, quickly agreed to subsume their interests to the war

sevelt during the prior period, returned to rally around him and pledge their full support to the defeat of fascism and the alliance with Russia. The virulent anti-communism of the prior period subsided as feeling towards the Soviet Union softened. In New York alone, there were two communists on the City Council, and a member of the American Labor Party and chairman of the I. L. D., Vito Marcantonio, was a U.S. Representative. It was the period of greatest acceptance and popularity for the American Communist Party, which reached its highest point of membership in 1944. But with the cooperation of labor and management in the war effort, and the virtual elimination of struggle on this front, the apparent popularity of the movement was largely illusory, since it resulted in large part from a subjugation of ideology.

Of course, the war years were not without turmoil. Fascist sympathizers remained active, and red-baiters still flourished. The Dies Committee (HUAC) continued to harass suspected communists and aliens. Japanese people were ruthlessly rounded up and placed in detention camps. And the increased contact between white and black people made necessary by the mobilization for war brought with it brutal instances of racism.

The Lawyers Guild was particularly active in the defense of civil rights during this period. In the 1941 Memphis terror attack against black people, the Lawyers Guild presented a brief to the Attorney General urging prosecution. In 1942, it lobbied vigorously for the anti-poll tax bill only to see it killed by a Senate filibuster. The Guild severely criticized Attorney General Biddle and the Justice Department for their lax prosecution of people accused of lynching. In January 1943, Executive Secretary Martin Popper (who served in this capacity from the late thirties until 1947) urged the revival of the Fair Employment Practices Commission and sharply attacked the Manpower Commission's suppression of FEPC reports on discrimination against blacks and Chicanos. During the following year, racial disturbances broke out on production lines at Packard Motor Car Com-

and Texas. But the most violent outbreaks occurred in June in Los Angeles -- the "zoot suit" riots, and in Detroit -- where whites rioted against black occupancy of the Sojourner Truth housing projects. In both instances, police response was predictably lax towards the whites, but over a dozen blacks were shot by police in Detroit.

Guild task forces investigated these events, analysed them, and exposed the racist nature of official response. In July, William Hastie, Guild Vice President, lodged complaints against the killing of black soldiers in civilian communities. In addition, the Guild participated in litigation opposing the exclusion of blacks from primary elections in the South. Guild resolutions urged the full employment of black lawyers in government positions to aid the war effort, and endorsed an "all-embracing program to ensure fair and equal treatment for Negro people." Towards the end of the war, Earl Dickerson, a black lawyer who had served as president of the Chicago Guild chapter and head of the FEPC, became national president of the Guild.

During the war, the Guild's priorities in social legislation turned to measures which brought together the joint interests of a progressive movement with the desire to win the war. In 1942, it launched a major campaign against landlords who gouged servicemen and their families with excessive rents. It strongly endorsed the Social Security Bill, rent control, subsidized low-cost housing and price controls. The Guild strongly opposed the termination of funding for the O. P. A., blaming defeatists for undermining the war effort. And the Guild offered its services to the War Labor Board, to apply its special expertise to the negotiations of labor disputes that might interfere with war production.

The activities of the FBI and HUAC continued to occupy a part of the Guild's energy. In 1941 a resolution was adopted opposing the gestapo-like tactics of the FBI, and in 1942, the Guild exposed the pattern of consistent refusal by the Dies Committee to prosecute Nazi subversives.

The Guild's wartime activities earned it substantial respect, and also some un-

NOTICES

PLACEMENT OFFICE INFORMATION

There will be a group meeting on Friday, November 17 at 12:00 noon in Room 218 for those interested in applying for Reginald Heber Smith Community Lawyer Fellowship Program. Applications for the Program are available in the Placement Office.

* * * * *

Sign-ups for firms coming November 27 and November 28 will be held on Monday, November 20 in Room 220 at 3:15 p.m.

Sign-ups for firms coming November 29, 30 and December 1 will be held on Tuesday, November 21 in Room 220 at 3:15 p.m.

TO: Faculty, Staff and Organizations

FROM: Bailey H. Kuklin, Assistant Dean

RE: Audio-Visual Equipment

As most of you are probably aware, the Law School has acquired several valuable pieces of audio-visual equipment. To assure the long and ready accessibility of this equipment, the Law School has arranged to provide an operator/coordinator for this equipment.

If you require the use of this equipment please contact Ms. Lena Wilson, audio-visual operator/coordinator. You may make requests and/or schedule use of equipment by placing a memo indicating your requirements in the third floor mailbox (Hutchins Hall) designated Audio-Visual Coordinator.

GUILD

cont'd from p. 12

solicited notoriety. In response to a Life Magazine article calling it the "leftish alternative to the ABA," the Guild protested that it was neither leftish, nor an alternative to the ABA, but rather a non-partisan organization standing for the preservation of democracy. On March 29, 1944. HUAC went Life Magazine one better -- it cited the National Lawyers Guild as a Communist-front organization.

INTERESTED IN THE AMERICAN INDIAN?

Anyone interested in studying the relationship of the American Indian and the law in either an informal setting or as a regularly constituted seminar either next term or Fall Term 1973 please contact Bill Wines for further information in person or at 663-4566 after 8 p.m.

At present, we are trying to determine the extent and direction of Law Student interest before attempting to formulate specific study programs. If the study of the civil rights of American Indians or the tribal rights under the Indian Reorganization Act of 1934 appeals to you, please indicate your interest before November 22nd so that a study program can be worked out.

PHOTO CLUB

Anyone interested in the Law School Photo Club should call Lee Goodwin at 769-2321 for details. Best time to call is between 5-6 p.m. or 11-11:30 p.m.

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GREAT LAKES STATE GOBBLER-DAY GRIDIRON GAMBLES

This week's poll continues our broken-field pattern and features a straight twenty-five game slate. The winner gets two tickets to the Skin-flicks (last week's bill at the Ypsi-Ann Drive-In boasted the film that made Denmark's sophisticated free-love advocates blush: "Erica's Summer," which exceeds all limits previously thought established in the frank portrayal of "deep Throat"). The runner-up this week gets the prize, gross in its own way, of a sub from Nick's factory, where Gulf's off-shore drilling doesn't seem to have done the fishing any harm.

Last week's unfortunates were GLEN FORD and RICH URDA. Glen draws the two free passes and Rich will be lucky if he passes anything for a couple of days after he eats his prize.

The only things not changed this week are the eternal challenge of Sport and the rules: circle the winners and place your entries in the box at the L.C. front desk before noon Saturday.

- | | |
|-----------------------------|----------------------------|
| 1. Boston U. vs. Colgate | 13. Michigan vs. Purdue |
| 2. Colorado vs. Air Force | 14. Utah vs. Brigham Young |
| 3. Stanford vs. California | 15. Auburn vs. Georgia |
| 4. Columbia vs. Penn | 16. Army vs. Holy Cross |
| 5. Syracuse vs. W. Va. | 17. Arizona vs. Wyoming |
| 6. Missouri vs. Iowa St. | 18. Colts vs. Bengals |
| 7. Tenn. vs. Ole Miss | 19. Bills vs. Pats |
| 8. Iowa vs. Indiana | 20. Dolphins vs. Jets |
| 9. Washington vs. Wash. St. | 21. Steelers vs. Browns |
| 10. Princeton vs. Yale | 22. Raiders vs. Broncos |
| 11. Cornell vs. Dartmouth | 23. Redskins vs. Falcons |
| 12. Navy vs. Georgia Tech | 24. Forty-niners vs. Bears |
| 25. Vikings vs. Rams | |

Tie Breaker: How many idiots will enter the Dominick's Amateur Grid-Pickers League Football Pole this week? _____

Special DOUBLE Tie Breaker: Have prices gone up again at Nick's and if so, why? (Answer in twenty-five words or less.) _____